

## REMARKS

The present amendment is prepared in accordance with the new revised requirements of 37 C.F.R. § 1.121. A complete listing of all the claims in the application is shown above showing the status of each claim and the amendments to the specification and drawings are shown above in the replacement pages and paragraphs. For current amendments, inserted material is underlined and deleted material has a line therethrough.

Applicants appreciate the thoroughness with which the Examiner has examined the above-identified application. Reconsideration is requested in view of the amendments above and the remarks below.

## DETAILED ACTION

### Drawings

The drawings are objected to because:

In Figure 2, change "10" to -- 18 --.

In Figure 3, clearly illustrates the spindle 12 (see attachment #1 point A).

In Figures 4 and 5, clearly define the mounting plate and the mounting posts with appropriate cross-hatching. The current drawings show that the mounting posts and the mounting plate are a one-piece embodiment when they are separate members connected together (see attachment #1 point B).

In Figure 4, change the pointing line position of element 40b' (see attachment #1).

In Figure 5, change the pointing line position of element 48' (see attachment #1).

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

Elements 120, 122, 124, 126a, 126b, 128, and 130 (Figures 10a and 10b) are not described in the specification.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

Elements 49, 62, and 60c are not illustrated in the drawings.

Applicant appreciates the thoroughness with which the Examiner has reviewed the drawings and the suggestions for amending the drawings to conform to the statute.

Applicant has amended the drawings to overcome the objections of the Examiner and replacement sheets 1/5 and 2/5 are attached hereto with sheets showing the changes marked in red.

Referring to Fig. 2, Applicant shows the internal threads 35 in lip 34 of cover 26 and has corrected the numeral "10" handle to -- 18 -- .

In Fig. 3 the spindle 12 was corrected to show that it contacts points a, b, c, and d of star face 58.

In Figs. 4 and 5 amendments were made to conform the figures to the specification. Thus, cover 26 is shown having the lip 34 with internal threads 35. The mounting plate 46 is shown having lip 48 with external threads 49. The external threads 49 of mounting plate 46 are screwed into threads 35 of lip 34 of cover 26.

Also, in Figs. 4 and 5 the lead line for 40b' was moved to the head of mounting pin 40b. Also, numeral 60c was added to show the end of anchor 60 which is inserted into the opening in spindle 12. Internal threads are shown in cap nut 54 and external threads 24 are shown at the end of handle 18.

Support for the above drawing changes may be found throughout the specification and, in particular, on pages 8-12.

The Examiner makes the note in the objections to the specification and under 35 USC 112 that the threads in cover lip 34 appear to be external threads whereas the threads on the mounting lip 48 are inner threads. While this is a mechanical equivalent, the embodiment shown in the application and as discussed on page 9, the paragraph beginning at line 16, and the paragraph beginning at line 25, the inner lip of the mounting plate 46 has external threads 49 for threading onto the inner threads 35 of cover 26. Accordingly, it is respectfully submitted that there is no need to amend the specification as indicated by the Examiner and that the claims are proper under 35 USC 112.

#### Specification

The specification is objected to because of the following informalities:

Page 9 Line 23, change "internal threads 35" to - - external threads 35 - -.

Page 10 Line 4, change "the inner lip has external threads 49 for threading onto the inner threads 35 of the cover 26" to - - the inner lip has internal threads 49 for threading onto the external threads 35 of the cover 26 - -

Page 12 Line 15, change "portion 8" to - - portion 68 - -. Appropriate correction is required.

As discussed above, the inner lip of the mounting plate has external threads 49 and the lip of cover 26 has internal threads.

#### Claim Rejections - 35 USC § 112

Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 11 recite the limitation "a cover having a base and a door facing outer lip around the base periphery and an internal threaded through opening in the base which opening is sized to allow the cover to rotate freely on the handle and the base rests against the shoulder; a mounting plate sized to fit within the outer lip and having a through opening with a lip having external threads which are to be threaded with the internal threads of the cover" in lines 6-12 and 7-13 respectively,

It is unclear how the outer lip of the cover could have internal threads engaged with external threads of lip of the mounting plate.

As seen in Figure 4, see attachment #2, the cover 26 has a lip 34 and the mounting plate 46 also has a lip 48. The lip 48 is located over the lip 34; therefore, the cover lip 34 has external threads that threadedly engage inner threads at the mounting lip 48.

In order to continue with the examination, the examiner will examine the claim with this interpretation until appropriate correction or explanation by the applicant is submitted.

Also, claims 1 and 11 recite the limitation "elongated spring" and "elongated spindle" in lines 16 and 19 and in lines 17 and 20 respectively. It is unclear if this

spring and this spindle is the same or is a different spring or spindle to the ones already cited in lines 5 and 6 of claims 1 and 11.

As discussed above the lip of mounting plate 46 has external threads 49 for threading onto the inner threads 35 of cover 26 and there is no need to amend the specification or the claims.

Regarding claims 1 and 11, citing limitation “elongated spring” and “elongated spindle”, Applicant has amended the claims to clarify that the spring and spindle are an elongated spring and an elongated spindle.

#### Claim Rejections - 35 USC § 103

Claims 1, 8-11, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 5,813,708 to Shen in view of U. S. Patent No. 305,426 to Clark, in view of U. S. Patent No. 3,471,190 to Wansbrough et al (Wansbrough) and further in view of U. S. Patent No. 4,460,204 to Olsen.

Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 5,813,708 to Shen in view of U. S. Patent No. 305,426 to Clark, in view of U. S. Patent No. 3,471,190 to Wansbrough et al (Wansbrough) and further in view of U. S. Patent No. 4,460,204 to Olsen as applied to claims 1 and 11 above, and further in view of U. S. Patent No. 6,619,710 to Hwang.

#### Allowable Subject Matter

Claims 3 and 13 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office Action and to include all of

the limitations of the base claim and any intervening claims. Claims 4-7 and 14-17 would also be allowed because the claims depend from claims 3 and 13 respectively.

#### Reasons For Allowable Subject Matter

The following is an examiner's statement of reasons for allowable subject matter:

Claims 3 and 13 present allowable subject matter over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the assembly further comprising a spring disposed between the mounting plate and the base of the cover.

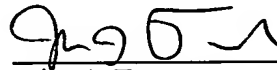
Shen, as modified by Clark, Wansbrough, Olsen and Hwang, fails to disclose that the assembly comprises a spring disposed between the mounting plate and the base of the cover. Kim (U. S. Patent No. 6,425,273) teaches that it is well known in the art to have a spring (46) mounted between a mounting plate (48) and the base of a cover (8). However, there is no motivation to combine the teachings of Kim into the device presented by Shen, as modified by Clark, Wansbrough, Olsen and Hwang, since the spring is used to bias the mounting posts against the mounting plate and the device presented by Shen, as modified by Clark, Wansbrough, Olsen and Hwang, will not require to bias the mounting posts against the mounting plate.

Applicant has amended claims 1 and 11 to incorporate the limitations of claims 2 and 3, and 12 and 13, respectively, and it is respectfully submitted that the claims are now properly allowable under 35 USC 103. As the Examiner has noted, claims 4-7 and 14-17 will likewise be allowable since they are dependent on allowed claims 1 and 11. Also, claims 8-10 and 18-20 are allowable since they now depend on allowed claims.

Applicant has also added new claims 21 and 22 to claim that the cap nut of the assembly has a star face opening which edges of the star face engage the edges of the spindle to prevent the spindle from turning. It is respectfully submitted that the prior art does not show such a device and that new claims 21 and 22 are properly allowable.

It is respectfully submitted that the application has now been brought into a condition where allowance of the case is proper. Reconsideration and issuance of a Notice of Allowance are respectfully solicited. Should the Examiner not find the claims to be allowable, Applicants' attorney respectfully requests that the Examiner call the undersigned to clarify any issue and/or to place the case in condition for allowance.

Respectfully submitted,

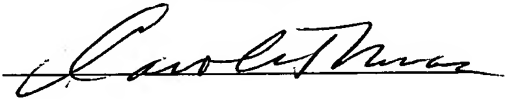


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2231301450.

Name: Carol M. Thomas Date: October 19, 2005 Signature: 

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**In the Drawings**

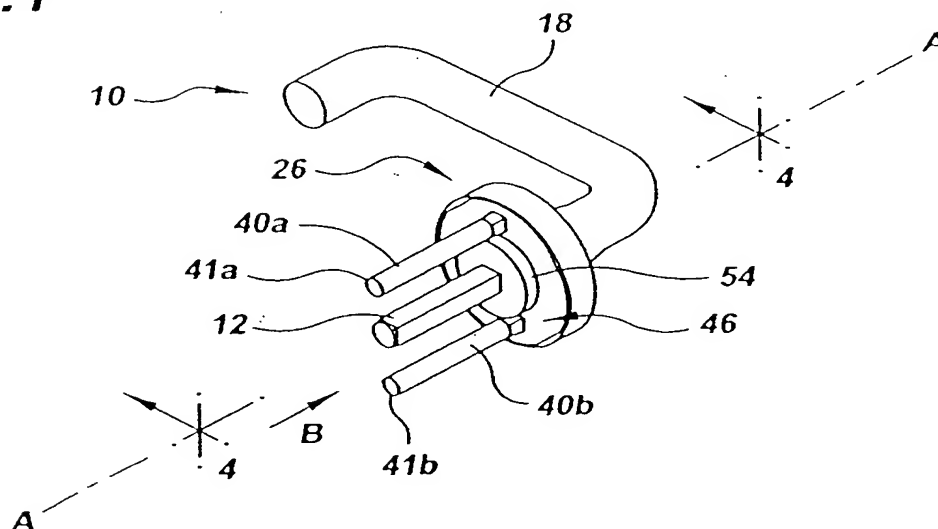
Please substitute the enclosed replacement sheet 1/5 and the replacement sheet 2/5 for the corresponding drawing sheets now in the application.



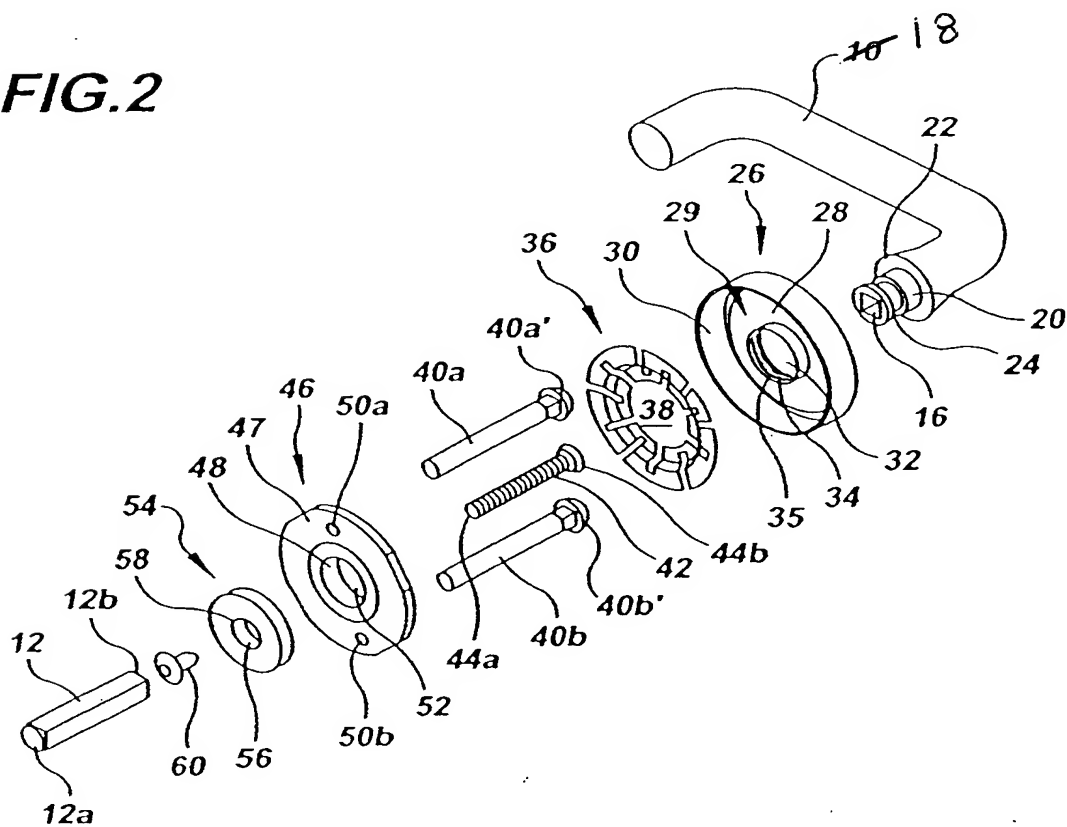


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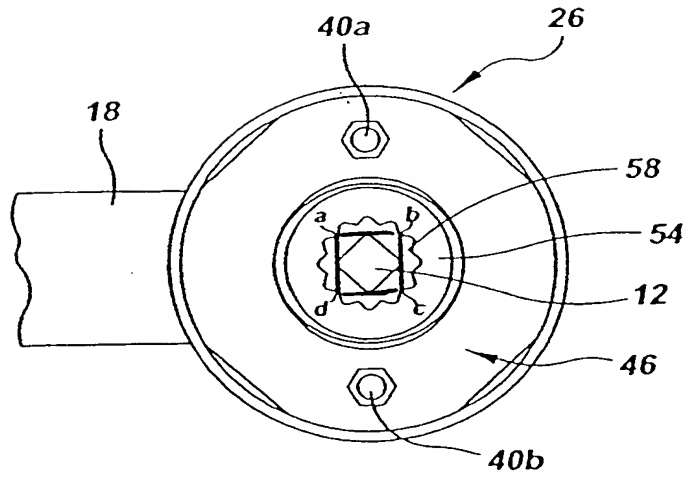
**FIG. 1**



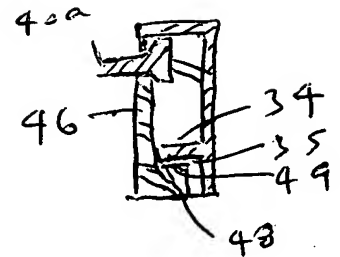
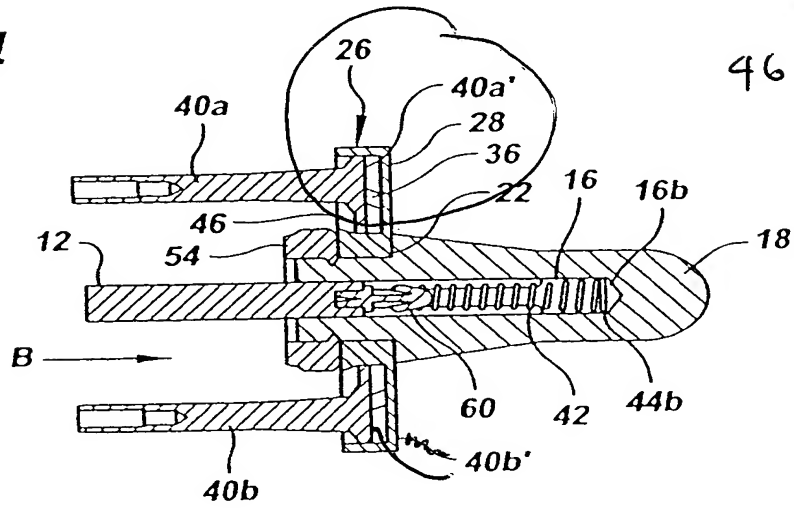
**FIG.2**



**FIG.3**



**FIG.4**



**FIG.5**

